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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,854	01/17/2000	Randy L. Knust	13169	8936

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EXAMINER

ASHBURN, STEVEN L

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 01/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/483,854

Applicant(s)

KNUST ET AL.

Examiner

Steven L Ashburn

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-9 and 16 is/are rejected.
- 7) ☐ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

MARK SAGER
PRIMARY EXAMINER

Art Unit: 3713

DETAILED ACTION

DRAWINGS

Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office Action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

CLAIM REJECTIONS - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fishbine, U.S. 5,781,647 (Jul. 1998) in view Storch, U.S. 5,283,422 (Feb. 1994) and Cooper, U.S. 6,008,867 (Dec. 1999).

Fishbine describes a gambling chip recognition system that automatically captures an image of a stacks of chips and calculates their value in real time. The system automatically stores the player's wager information in a centralized player database in order to improve an operator's ability to track to gambling habits of individuals for "reward/comp" programs. See col. 1:33-45. Fishbine describes the following features of the claims:

- a) Central computer. See fig. 1.
- b) Gaming table. See col. 3:27-37.

Art Unit: 3713

- c) Video imagers individual directed to a predetermined table location on a wagering table. See col. 3:27-37.
- d) Chip recognition system to determine the value of wagers in each of the wagering locations. See col. 3:27-37.
- e) Trigger to initiate operation of the system. See 5:13-17. (Claim 5)
- f) Plurality of tables. See col. 3:27-37.

Casinos typically contain a plurality gambling tables. Fishbine discloses that any number of cameras can be employed in the system. The number is dependent of the number of monitored gambling positions that need to be monitored. See id. Hence Fishbine provides for monitoring a plurality of tables.

As listed above, Fishbine discloses a majority of the claimed features. However, Fishbine does not disclose (1) video imagers *on* the gaming table and (2) associating a multiplexer with each gaming table. Despite the Fishbine's deficiencies, these features are either known or obvious in view of prior references.

Storch discloses a wagering chip detection system analogous to Fishbine. Both Storch and Fishbine employ means to detect the amount of a wager at a gaming table by optically detecting a chip's edge to determine its value. Storch describes the difficulties of detecting the value of stacked chips due to resolution, boundary and threshold conditions. See col. 6:9-23. One skilled in the art would recognize that these issues are related to the distance between to chip and the sensor. To avoid these problems, Storch discloses mounting the optical detection system on the table in order to provides fast, accurate accounting of wagers without interfering with normal game play. See col. 3:55-64. Hence, Storch discloses the claimed feature of mounting a chip detection system on a gaming table. It would have been obvious to one skilled in the art at the time of the invention to

Art Unit: 3713

modify Fishbine to place the chip sensors on the gaming table as suggested by Storch in order to improve detection without interfering with normal game play.

Cooper discloses a surveillance system for multiplexing a large number of video imagers to central computer. See 1:5:19. Cooper allows multiple subsets of multiplexed images to be controlled by a single central processor. See id. Fishbine discloses a chip recognition system using “any number of video cameras” connected to a single computer processor; but does not describe means to control the cameras. Fishbine specifically suggests the use of an Intel-based personal computer. Personal computers, even if modified, are well known to provide a limited number of video inputs. Hence, the system disclosed by Fishbine is required to combine the inputs received from the multiple cameras. In view of Cooper, it would have been obvious to one skilled in the art at the time of the invention to modify Fishbine to multiplex the cameras at the plurality of gaming tables to the central processor. As suggested by Fishbine, such a system would allow an operator to use a central processor to control and monitor a large number of cameras observing wagering positions and thereby allow the operator to track the gambling habits of its customers. See col. 1:33-45.

Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fishbine, U.S. 5,781,647 (Jul. 1998) in view Storch, U.S. 5,283,422 (Feb. 1994) and Cooper, U.S. 6,008,867 (Dec. 1999) in further view of Mothwurf, U.S. 5,919,090 (Jul. 1999).

The combination of Fishbine, Storch and Cooper is described above. The combination describes all the claimed features except (1) player tracking input means including a card reader or keypad and (2) means for determining which wagering location is active. See 5:23-27.

Mothwurf discloses a wager detection system for table games. The system provides means to detect the start of each hand; detect if a player has placed a wager; detect the amount of a player's

Art Unit: 3713

wager; and store information about a player's wager history. See col. 2:25-57. In order to track the player's, Mothwurf provides each betting position with a player identification system that receives an identification card. See fig. 1a; col. 7:57-65. Although Mothwurf does not disclose a keypad input for identification, identification cards are a notoriously well know alternative to keypads as a means to receive a user's identification. Hence, Mothwurf describes the claimed features.

Fishbine describes employing the wager detection system to compile information of an individual player's wager's and storing the information in a central database. However, Fishbine does not describe requiring the player to submit identification at a wagering table. In view of Mothwurf, it would have been obvious to one skilled in the art at the time of the invention to modify the combination of Fishbine/Storch/Cooper to include the features disclosed by Mothwurf. The resulting system would provide game operators means to identify players at gaming tables for tracking their wagering activities and thereby providing the operator with the information to detect dishonest players and reward frequent ones.

ALLOWABLE SUBJECT MATTER

Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Ashburn whose telephone number is 703 305 3543. The examiner can normally be reached on Monday thru Friday, 8:00 AM to 4:30 PM.


Art Unit: 3713

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 703 308 1148. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305 3590 for regular communications and 703 308 3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 1078.



Steven Ashburn
January 2, 2002


MARK SAGER
PRIMARY EXAMINER